

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Sherman Petty, :
 :
Plaintiff, :
 :
v. : Case No. 2:04-cv-0245
 :
The County of Franklin, Ohio, : JUDGE SARGUS
et al., :
 :
Defendants.

ORDER

Plaintiff has filed a motion to strike the motion for summary judgment filed by the defendants. The basis for the motion to strike is plaintiff's assertion that the memorandum supporting the summary judgment exceeds twenty pages in length and is not accompanied by the summary of argument and table of contents required by this Court's Local Civil Rules.

The Court has reviewed the summary judgment motion and is puzzled by plaintiff's motion to strike. The motion for summary judgment is clearly accompanied by the required summary and table of contents. See Defendant's Motion for Summary Judgment at i-iii. There being no apparent factual basis for the motion to strike, that motion (#28) is denied, as is the request that the plaintiff's response time be stayed pending a determination of the motion to strike.

/s/ Terence P. Kemp
United States Magistrate Judge